

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To:

**William F. Riggs Service agent for
 Eagle Nursery LLC a/k/a Midwestern Nursery Containers Division
 320 South Boston, Suite 500,
 Tulsa OK 74103**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Petersen Farms

Robert W. George
 Kutac & Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

S. Maynard

(By) DEPUTY CLERK

MAR 15 2006

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
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TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Gary Rice Service agent for
Greenleaf Nursery Co., Inc.
HC 72 Box 163,
Park Hill OK 74451**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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For Cal-Maine Foods, Inc.

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Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herew th served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk


(By) DEPUTY CLERK

MAR 15 2006
Date

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United States District Court

Northern District of Oklahoma

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **William F. Riggs Service agent for
 Northland Farms, LLC
 320 South Boston, Suite 500,
 Tulsa OK 74103-3725**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

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 For Cal-Maine Foods, Inc.

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 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **William D. Langley individually**
RR 2 Box 199,
Westville OK 74965-9625

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Kutack Rock LLP
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Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

(By) **DEPUTY CLERK**

MAR 15 2006
Date

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PLAINTIFF

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Linda Fidler d/b/a
 Fidlers Bend Farms & Trading Co., LLC
 Route 1, Box 215 F,
 Kansas OK 74347**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1777 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

S. McDonald
 (By) DEPUTY CLERK

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STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Ron Fidler d/b/a
 Fidlers Bend Farms & Trading Co., LLC
 Route 1, Box 215 F,
 Kansas OK 74347**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Padgug & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kulack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
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 Tulsa, OK 74101-1710
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 Tulsa, OK 74119
 For George's Inc.

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 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

 Date

S. McDaniel
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

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PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Darrell Moss individually**
Route 2, Box 531,
Westville OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date

(By) S. MacDosh
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Darryl Cates individually**
Route 2, Box 507,
Westville OK 74965

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
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 David C. Senger
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 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
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 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date



(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Ancil Maggard individually**
Route 2, Box 568,
Westville OK 74965

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
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 For Tyson Foods, Inc.

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 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
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 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
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 100 West Center Street, Suite 200
 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

(By) D. Mandard
 DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

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v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Johnny Bryan Service agent for
 Bryan Sand & Gravel, Inc.
 Route 3, Box 562,
 Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 For Cal-Maine Foods, Inc.

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Phil Lombardi
 Clerk


 (By) DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Jessee T. Proctor individually**
P.O. Box 892,
Muldrow OK 74948

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutac & Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

 R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

(By) J. McDaniel
 DEPUTY CLERK

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Garner Garrison individually**
Route 1, Box 87,
Gore OK 74435

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
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 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date

(By) *S. McDaniel*
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.
 City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Glenn E. Thompson President of
 Brazil Creek Minerals, Inc.
 101 N. Church Street.,
 Poteau OK 74953**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce. Paul McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

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 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

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 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

 Date

S. MacDonell
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Lena Garrison individually**
Route 1, Box 87,
Gore OK 74435

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniell
 Joyce, Paul & McDaniell PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date MAR 15 2006

(By) S. McDaniell
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **John E. Cotherman individually**
P. O. Box 90,
Gore OK 74435

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Keturah Farms

Robert W. George
 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) S. MacDermid
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

**THIRD PARTY SUMMONS IN A
CIVIL ACTION**

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Julie A. Cotherman individually**
P. O. Box 90,
Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rook LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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The Owens Law Firm, P.C.
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For George's Inc.

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100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006


(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

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STATE OF OKLAHOMA, ex rel., et al.
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v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Helen Watts Trustee of the Helen Watts Revocable Trust**
Rt. 1, Box 277,
Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutrock Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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Lawrence W. Zeringue
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Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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234 West 13th Street
Tulsa, OK 74119
For George's Inc.

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Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Simp Watts Trustee of the Simp Watts Revocable Trust**
Rt. 1, Box 277,
Gore OK 74435

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kutark Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
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 For Willow Brook Foods, Inc.

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 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

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 Tulsa, OK 74119
 For George's Inc.

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 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) DEPUTY CLERK

Date

MAR 15 2006

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOK-SAJ

To: **Jim Jones Service agent for
T&M Sand and Gravel, Inc.
204 N. Elm,
Sallisaw OK 74955**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Oklahoma City, OK 73102
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Lawrence W. Zeringue
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Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
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Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By) S. McDonald
DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Hoby Ferrell individually**
1820 S. Cincinnati,
Tulsa OK 74119

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutark Rock LLP
The Three Sisters Building
234 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

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Kerr, Irvine, Rhodes & Ables
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Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

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Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

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Tulsa, OK 74119
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MAR 15 2006

Phil Lombardi
Clerk

Date

S. McDonald
(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **R. Jay Chandler Service agent for
Greater Tulsa Investments, LLC
401 South Boston, Suite 2900,
Tulsa OK 74103**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutack Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

Date

MAR 15 2006

S. MacDonell
(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

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v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Wauhilla Outing Club**
P. O. Box 1286,
Muskogee OK 74401

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

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 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

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 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date

S. McDonald
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

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TYSON FOODS, INC. et al.
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v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Gregory Terry d/b/a
 One Degree Lawn Care and Landscaping
 16851 N. 523 Road,
 Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
 The Three Sisters Building
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 For Willow Brook Foods, Inc.

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 Conner & Winters, P.C.
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 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

(By) S. MacDonell
 DEPUTY CLERK

MAR 15 2006

Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.

DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.

THIRD PARTY DEFENDANTS

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Joe Don Thornton Service agent for
 Thornton Lawn & Exterminating, Inc.
 1830 N. Vinita,
 Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 The Three Sisters Building
 214 West Dickson Street
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 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

S. McDonald
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

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v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Andrew A. George Service agent for
Spring Hollow Feed Mill, Inc.
13243 Killabrew Road,
Hulbert OK 74441**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce, Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

Robert W. George
Kutnek Rock LLP
The Three Sisters Building
214 West Dickson Street
Fayetteville, AR 72701-5221
For Tyson Foods, Inc.

R. Thomas Lay
Kerr, Irvine, Rhodes & Ables
201 Robert S. Kerr Ave., Suite 600
Oklahoma City, OK 73102
For Willow Brook Foods, Inc.

Robert P. Redemann
Lawrence W. Zeringue
David C. Senger
Perrine, McGivern, Redemann, Reid,
Berry & Taylor, PLLC
P. O. Box 1710
Tulsa, OK 74101-1710
For Cal-Maine Foods, Inc.

George W. Owens
Randall E. Rose
The Owens Law Firm, P.C.
234 West 13th Street
Tulsa, OK 74119
For George's Inc.

John R. Elrod
Vicki Bronson
Conner & Winters, P.C.
100 West Center Street, Suite 200
Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
Clerk

MAR 15 2006

Date

(By) *S. MaPant*
DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **John Doe d/b/a
 Turf Professional
 411 N. 7th Street,
 Jay OK 74346**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce (Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

S. MacDonell
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

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THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Harvey L. Chaffin Service agent for
 Cherry Springs Golf Club Inc./Wilcox Garden
 219 W. Keetoowah,
 Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
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 214 West Dickson Street
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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk


 (By) DEPUTY CLERK

MAR 15 2006

 Date

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

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THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

CASE NUMBER: 05-CV-0329-JOE-SAJ

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Mark Seratt trustee for
Millie Seratt Trust
17110 N. Cary Lane,
Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
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Phil Lombardi
Clerk

Date

MAR 15 2006

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Tom Tate Service agent for
 Illinois River Ranch Recreational Vehicle Park Property Owners Association
 6611 N. Starr Ridge Road,
 Proctor OK 74457**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
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ATTORNEYS:**

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 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

S. MacDaniel
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

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DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Tom Tate Service agent for
 Illinois River Ranch Recreational Vehicle Park Property Owners Association
 6611 N. Starr Ridge Road,
 Proctor OK 74457**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

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 Joyce, Paul & McDaniel PLLC
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 Tulsa, OK 74119
 For Peterson Farms

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 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi

Clerk

Date

MAR 15 2006

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

To: **Reed Williams Service agent for
 Illinois River Ranch Property Owners Association
 6611 N. Starr Ridge Road,
 Proctor OK 74457**

THIRD PARTY SUMMONS IN A CIVIL ACTION

CASE NUMBER: 05-CV-0329-JOE-SAJ

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

Robert W. George
 Kulack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
 Fayetteville, AR 72701-5221
 For Tyson Foods, Inc.

R. Thomas Lay
 Kerr, Irvine, Rhodes & Ables
 201 Robert S. Kerr Ave., Suite 600
 Oklahoma City, OK 73102
 For Willow Brook Foods, Inc.

Robert P. Redemann
 Lawrence W. Zeringue
 David C. Senger
 Perrine, McGivern, Redemann, Reid,
 Berry & Taylor, PLLC
 P. O. Box 1710
 Tulsa, OK 74101-1710
 For Cal-Maine Foods, Inc.

George W. Owens
 Randall E. Rose
 The Owens Law Firm, P.C.
 234 West 13th Street
 Tulsa, OK 74119
 For George's Inc.

John R. Elrod
 Vicki Bronson
 Conner & Winters, P.C.
 100 West Center Street, Suite 200
 Fayetteville, AR 72701
 For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi
 Clerk

Date

(By) *S. McDaniel*
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Lloyd E. Cole, Jr. Service agent for
 Flint Ridge Property Owners Association, Inc.
 120 W. Division,
 Stillwell OK 74960**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Fayetteville, AR 72701
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date


 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Marjorie A. Garman d/b/a
Riverside RV Resort and Campground, LLC
5116 Highway 10,
Tahlequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
Melvin David Riggs
Richard T. Garren
Sharon K. Weaver
Riggs Abney Neal Turpen Orbison & Lewis
502 West 6th Street
Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
Joyce Paul & McDaniel PLLC
1717 South Boulder, Suite 200
Tulsa, OK 74119
For Peterson Farms

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For Cal-Maine Foods, Inc.

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Fayetteville, AR 72701
For Simmons Foods, Inc.

an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

MAR 15 2006

Phil Lombardi

Clerk

Date

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Marjorie A. Garman individually**
5116 Highway 10,
Tahlequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

(By) S. McDaniel
 DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Max K. Naegler** Service agent for
Frates Properties, Inc.
The Drummond Law Firm, 1500 S. Utica, Ste. 400,
Tulsa OK 74104

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
 Joyce Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 Kutack Rock LLP
 The Three Sisters Building
 214 West Dickson Street
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 Tulsa, OK 74101-1710
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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

MAR 15 2006

Date

(By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Brian R. Berry d/b/a
 Town Branch Guest Ranch
 1111 Wilcox Circle,
 Talequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
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ATTORNEYS:**

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 1717 South Boulder, Suite 200
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 For Peterson Farms

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an answer to the Third-Party Complaint which is herewith served upon you within **20 days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the Third-Party Complaint. There is also served upon you herewith a copy of the Complaint of the Plaintiff. You have the option of answering or not answering the Plaintiff's Complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the Third-Party Plaintiff is demanding judgment against you in favor of the original Plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of Plaintiff as well as to the claim of the Third-Party Plaintiff.

Phil Lombardi
 Clerk

Date

MAR 15 2006

S. Maden
 (By) DEPUTY CLERK

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

Northern District of Oklahoma

STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Brian R. Berry individually**
1111 Wilcox Circle,
Talequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
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 1717 South Boulder, Suite 200
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Phil Lombardi

Clerk

Date

MAR 15 2006

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AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

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STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Mary C. Berry d/b/a
 Town Branch Guest Ranch
 1111 Wilcox Circle,
 Talequah OK 74464**

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEYS:

A. Scott McDaniel
 Joyce, Paul & McDaniel PLLC
 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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Phil Lombardi

Clerk

MAR 15 2006

Date

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AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court

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STATE OF OKLAHOMA, ex rel., et al.
PLAINTIFF

v.

TYSON FOODS, INC. et al.
DEFENDANTS AND THIRD-PARTY PLAINTIFFS

THIRD PARTY SUMMONS IN A CIVIL ACTION

v.

City of Tahlequah, et al.
THIRD PARTY DEFENDANTS

CASE NUMBER: 05-CV-0329-JOE-SAJ

To: **Mary C. Berry individually**
1111 Wilcox Circle,
Talequah OK 74464

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY

Douglas Allen Wilson
 Melvin David Riggs
 Richard T. Garren
 Sharon K. Weaver
 Riggs Abney Neal Turpen Orbison & Lewis
 502 West 6th Street
 Tulsa, OK 74119-1010

**DEFENDANT AND THIRD
PARTY PLAINTIFFS
ATTORNEYS:**

A. Scott McDaniel
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 1717 South Boulder, Suite 200
 Tulsa, OK 74119
 For Peterson Farms

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 The Three Sisters Building
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MAR 15 2006

Phil Lombardi
 Clerk

Date

(By)  DEPUTY CLERK